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Date: March 1, 2006

To: Commissioner for Patents

From: Paul D. Durkee, Esq.

Examiner: Ramy M. Osman

Group Art: 2157

Company: U.S. PTO

Facsimile Number: 571-273-8300

Telephone Number:

MESSAGE

RE: U.S. Patent Application of Stephen M. Howard, et al.

Entitled: Data Backup System Having A Flexible Restore Architecture

Filed on: January 25, 2001

U.S. Appl. No.: 09/769,604

Our Ref. No.: EMC-002PUS

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PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Appl. No. : 09/769,604 Confirmation No.: 4397
Applicant : Stephen M. Howard, et al.
Filed : January 25, 2001
T.C./A.U. : 2157
Examiner : Ramy M. Osman

Docket No. : EMC-002PUS
Customer No. : 022494

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1 Mar 06
Date of Signature
and Mail Deposit

By: Paul D. Durkee
Paul D. Durkee
Reg. No. 41,003

RESPONSE

Mail Stop AF
Commissioner for Patents
P. O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

In response to the Final Office Action dated December 29, 2005, please consider the following remarks.

Remarks/Arguments begin on page 2 of this paper.